



MO LE SILAFIA

JUL - DEC 2022 // ISSUE 1 // VOLUME 5



Children & Young People Forum Participants with Ombudsman, Honorable Justice Vui and US Embassy Representative

FIRST NHRI CHILDREN AND YOUNG PEOPLES FORUM

On the 7th of July 2022, children and young people from various colleges, and youth groups in Upolu gathered for the first-ever Children and Young People's Human Rights Forum hosted by the Office and its partners (SPC, Child's Rights Connect, UNRCO). The objectives were (a) a follow-up to the CRC Committee Special Sitting that was held in Samoa in 2021 (b) to raise awareness of children and young people on the Convention on the Rights of the Child (CRC) reporting process and (c) to assist the children in preparing their alternative submission to be submitted to Samoa's CRC review.

The Forum was attended by His Honour Justice Vui Clarence Nelson, representative of the Ministry of Foreign Affairs and Trade (MFAT), Ms Natasha Lee Hang who participated in the 84th Extraordinary CRC Session in 2020, Mr Poka Tuifelasa'i who is the Samoa representative to the Child rights Connect Children's Committee and Aniva Clarke, Samoa's representative on the Teen Committee for the CRC on climate change. One of the workshop outcomes included establishing a 13-member Children and Young People's Working Group to assemble the children and young people's alternative submission to the CRC Committee. A follow-up event for the Forum took place in September to validate the alternative report.

The children's report will be submitted once the State submits its national report.

2ND DIALOGUE WITH PARLIAMENTARIANS ON HUMAN RIGHTS



Members of Parliament Representatives participating in the 2nd Ombudsman-Parliament Dialogue

Ombudsman held the 2nd Dialogue with Parliamentarians on human rights on the 3rd of October 2022. The theme was "Strengthening partnership and promoting proactive engagement [of the Office of the Ombudsman] with Parliamentarians in the realization and protection of human rights in Samoa". The dialogue was in collaboration with the Samoa Family Health Association, the Government of Australia through the UNFPA Transformative Agenda programme and the Office of the Clerk Legislative Assembly.

The 3 days dialogue targeted Members of Parliament who have direct engagement with the work of the Office particularly the Parliamentary Committee tasked to review and scrutinize the Office's annual State of Human Rights Reports. It was attended by the Honorable Speaker of Parliament Afioga Papali'i Li'o Taelu Masipa'u, leader of the Opposition party Honorable Afioga Tuilaepa Sialele Malielegaoi and parliamentarians from across other Parliamentary Committees such as Social and Finance Committees.



Warm greetings to you all. I hope 2023 has started off well with work picking up speed from where they were left off before the festive season.

Welcome to Issue 1, Volume 5 of "Mo le Silafia", the Ombudsman/NHRI Office official newsletter. It provides an update of my Office activities and work from July to December 2022 as well as a sneak view of upcoming work for the remainder of this financial year.

It was a busy first 6 months of the FY 22/23 with various activities to achieve our legislative mandate. The Office expanded its reach with the first ever children and young people's forum as well as the Ombudsman week initiative which is a joint collaboration across units of the Office to raise visibility and awareness of its work.

The Office also hosted the Ombudsman of New Zealand Misa Peter Boshier and his delegation in Samoa for an official visit. It was a great opportunity to network and shared experiences of work as well as with other Constitutional Offices.

I look forward to the remaining 6 months of the FY with exciting work in the calendar including the community consultations in plan for the 8th State of Human Rights Report focusing on safeguarding the rights of children in Samoa as well as ongoing work of our core units to deliver on the Office key mandates and functions.

God bless ma ia manuia.

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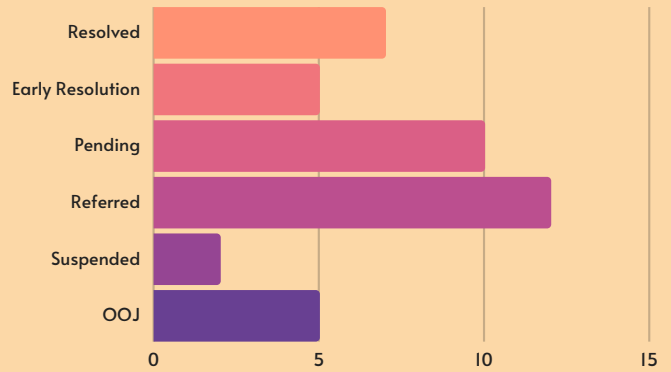
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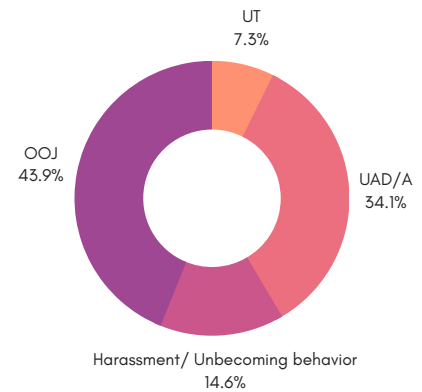
GOOD GOVERNANCE: COMPLAINTS (JUL - DEC 2022)

GGU received a total of 41 cases between (July – Dec 2022) against the following agencies. From the 41 cases received, 7 have been resolved, 5 early resolutions, 5 out of jurisdiction (OOJ), and 12 referrals to relevant Agencies. The remaining 11 cases are still active. One (1) pending case from the previous period (Jan – June 2022) has been resolved and ten (10) are currently under investigation moreover the lack of correspondence from complainants is the main reason for the delay in closing these matters. After 6 months without any further contact with the complainants, these matters will be suspended until further information has been submitted.

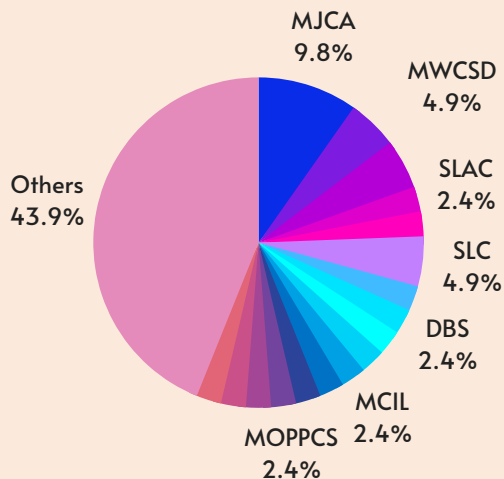


GOOD GOVERNANCE: NATURE OF COMPLAINTS

The most common administrative complaints received during the period July – Dec 2022 were unreasonable administrative decisions/actions (UAD/A) (14) and unfair termination (UT) (3). (6) Complaints of discriminatory decisions/actions/harassment/assault towards employees and members of the public. The OOJ complaints received were mostly on contribution issues and entitlements against private employers/businesses. These complaints were referred to SNPF, MCIL, and other relevant ministries authorities. Other OOJ complaints were court-related such as LTC decisions, land disputes, and domestic matters (Family Court).



Complaints received in the Jan - June 22 period were mostly against these Government Agencies.



PROFESSIONAL DEVELOPMENT INITIATIVES

Snr Investigation Officer 'uogafa So'oialo is in the process of undertaking both courses: Cert IV in Govt Investigations and CFE.

**ALL OUR
SERVICES ARE
FREE OF
CHARGE**



PHASE 2: PROACTIVE OMBUDSMANSHIP ROLLOUT – SEPTEMBER

SIU and the Good Governance Unit conducted the first-ever Complaints Handling training for OMB Liaison Officers as Phase 2 of their Proactive Ombudsmanship Rollout. Twenty-two (2) government agencies attended the training. The training aimed to achieve the establishment of the awareness of functions of the Ombudsman in Govt agencies, extend our support and assistance to agencies in building and strengthening their complaint handling systems and establish a robust network in the public sector via OLO for ease of referrals and resolution of matters efficiently and in a timely manner.

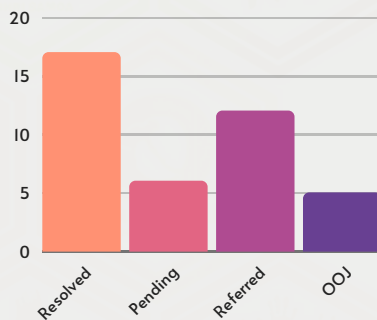
COACHING FOR SENIOR INVESTIGATORS AND LEADERS PROGRAM – NZ OMB – SEPTEMBER

The NZ Ombudsman facilitated an online training that focused on building its participants' capacity or skills to mentor, train and coach others in order to bring out the best in our respective teams via a self-directed learning pack (reading, videos and quizzes), followed by an interactive Zoom workshop to discuss learnings, reflections and answer any questions. SIU and GG attended these 4 different sessions that were scheduled on 15 September, 28 September, 19 October and 02 November 2022.



SPECIAL INVESTIGATIONS: COMPLAINTS JUL - DEC 2022

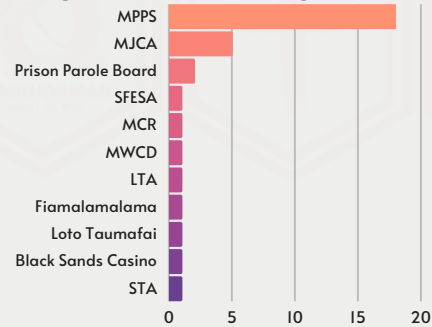
SIU received 40 cases within this period; SIU has addressed 34 of the 40 cases received during this period (ie .17 closed, 12 referred and 5 out of jurisdiction). The pending 6 cases are awaiting further documentation for specific information needed.



SIU REVIEWS

SIU conducted its review of the Professional Standards Unit in October 2022 for the periods of July 2020-June 2021 and July 2021-June 2022. Two SIU officers audited more than 180 files over the course of 2 weeks and will issue their report to the Commissioner in due course.

Complaints received in this period were against the following entities



NOTE: SIU received the highest number of complaints against MPPCS (18 complaints) and continues to work hand in hand with the said disciplinary force in building effective ways to dispose and resolve complaints as most effectively and efficiently as possible.

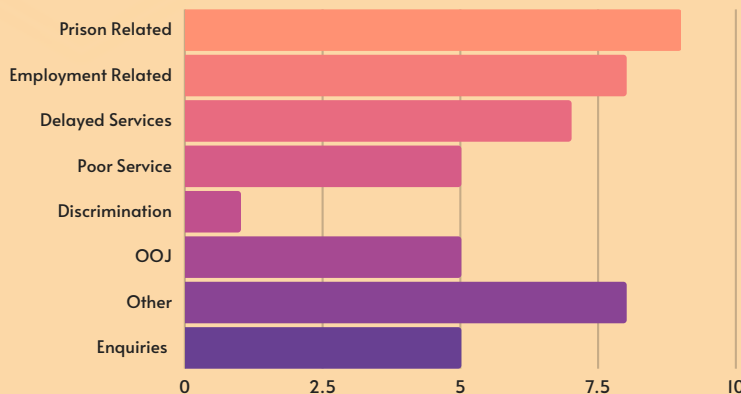
KEY CASE HIGHLIGHTS

SIU14/21 – SIU issued its final report to Police on this complaint and entitled this report “Conduct Unbecoming”. SIU highlighted seven (7) findings and issued 2 recommendations to the Police with regards to due process.

SIU46/22 – SIU commenced an investigation into a number of complaints from prisoners regarding officer misconduct. This is an ongoing investigation.

SPECIAL INVESTIGATIONS: NATURE OF COMPLAINTS

The majority of complaints received by SIU have been through people that walk in to lodge their complaints in person followed by the Ombudsman Complaint Boxes in prisons, which speaks volumes of the success and the continuous need for this initiative.



The majority of complaints against disciplinary forces were prison-related. These complaints were from prisoners requesting weekend release and legal aid and alerting correction officers' misconduct. These requests are flagged to the Commissioner for his consideration and to provide information for prisoners that request it. The majority of employment-related complaints were in relation to unpaid salaries that SIU flagged with MCIL for relevant action. The 'other' category of protests that have come through during this period are individual requests for services provided elsewhere like a search and rescue, defamation and the custody of children for example. This is where we utilize our referral network, setting appointments with relevant liaison officers for assistance.

TRAINING & WORKSHOPS

Principal SIU Officer Leota Taalo presented on behalf of the SIU team to the members of Parliamentary Committee on the role of SIU

Senior IO Nepa Papalii attended a four day training from 25th to 28th October 2022 facilitated by the PSC on 'Building Effective Leadership in the Public Service'. She completed the training and acquired a Certificate of Participation.

The training focused on building its participants capacity in their understanding of the leadership concept and preparing them to perform and take up leadership roles in the public sector.

STAFF ACHIEVEMENTS

Through continuous assistance from the Commonwealth Ombudsman, SIU's Senior Investigation Officer, Nepa Papalii has completed and received her Certificate IV in Government Investigations through ICETS, an educational institution that provides extensive training on investigation compliance and enforcement training systems.

Special FA'AFETAI LAVA to the Commonwealth Ombudsman for its continuous support through financial and technical support to build the capacity of the Ombudsman Investigations Arm through trainings and resources.

The majority of complaints received by SIU have been through the Ombudsman Complaint Boxes and walk in. The majority of complainants were aged 55+ & predominantly male.



Walk in 24



By Writing 4



Online 3



OMB-Prison Box 9



Charles leading the Children and Young People's taskforce in discussion

FIRST CHILDREN AND YOUNG PEOPLE'S TASKFORCE MEETING

The Children and Young People's taskforce/Working Group that was established from the Children and Young People's Forum on 7th July 2022, held its first meeting to discuss the format and structure of their alternative submission to the CRC Committee, issues raised at the Forum and timeframe for drafting and finalization of the report. NHRI assisted the task force with the technical tips and guides for writing a report, while they led the analysis and drafting of their report. The submission was a child-led initiative as an outcome of the Children and Young People 2022 forum. The task force convened its second meeting in August to submit chapters of their report, which was validated at the follow-up forum scheduled in September 2022.



Children & Young People Taskforce held 2nd meeting for preparation of its report.

VALIDATION WORKSHOP FOR CHILDREN & YOUNG PEOPLE

Office of Ombudsman hosted a follow-up workshop for its Children and Young Peoples Forum at Tanoa Hotel on the 20th of September to validate and finalized the children's and young people's submission to the Committee on the Rights of the Child, gathered views on the Office's State of Human rights report and raised awareness on the UN resolution on the right to a clean and healthy environment. The guest speakers all emphasized the importance of children's participation and voices on issues affecting their rights, especially those that have and will be greatly impacted by climate change.



Participants of the Follow up Children & Young People's Forum to validate submission to CRC



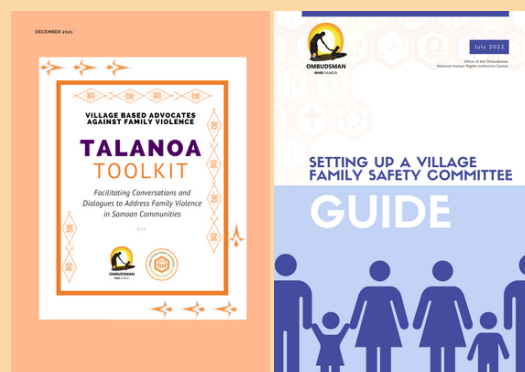
children participants presenting their views on certain human rights issues

TALANOA TOOLKIT & SETTING UP A VILLAGE FAMILY SAFETY COMMITTEE (VFSC) GUIDE LAUNCHED

A first-of-its-kind Talanoa [Toolkit](#) for village-based advocates against family violence was launched in July by the Office in collaboration with the UN Women Fiji Multi-Country Office through the Pacific Partnership to End Violence Against Women and Girls (Pacific Partnership). The overall purpose of the Talanoa Toolkit serves as a primary prevention tool to be used by a broad range of actors to facilitate conversations and dialogues to address family violence in community and family settings.

A [Guide](#) to assist villages who wish to set up their own VFSC was also released in July. The guide is a resource with the overall purpose to provide information and considerations for establishing Village Family Safety Committees for any interesting villages that wish to set one up to prevent and combat family violence in the village setting.

The resources initiated from recommendations of the National Inquiry into Family Violence 2018 and the Village Family Safety Committee Pilot Project 2019-2021 serve as a primary prevention tool to be used by a broad range of actors to facilitate conversations and dialogues to address family violence in community and family settings.



HUMAN RIGHTS ADVISORY COUNCIL MEETING.

The Advisory Council for Human rights undertook its 2nd meeting on September 2nd 2022 at the Office of Ombudsman's conference room. The main agenda was to discuss on the proposed project of developing a Samoan Glossary for appropriate translations of Human rights terms. The Council advisors given their areas of expertise also reported on issues that were of great concerns and contributed to the violation of human rights in Samoa. Discussions were shared on way forwards and ongoing plans for the proposed projects as well as the involvement and contributions of the human rights advisors to NHRI works re human rights in Samoa.



Advisory Council for Human rights undertook its 2nd meeting on September 2nd 2022



THE NEEDS AND BARRIERS OF SAMOAN WOMEN WITH DISABILITIES TO ACCESS JUSTICE AND POLITICAL PARTICIPATION CONSULTATION

The NHRI joined Govt ministries and NGOs for a Phase 2 consultation on the 8th of November to dissect the needs and barriers of Samoan women with disabilities to access justice and political participation that were identified in Phase 1 consultations. Phase 2 was an opportunity to dissect and identify proper/relevant/practical behavioural interventions to address these challenges. The consultation was coordinated by our Disability umbrella organization Nuanua o le Alofa and in partnership with UNDP through Consultant Palanitina Toelupe and General Manager of NOLA Mataafa Faatino Utumapu



Participant of the consultation with Office representatives

2ND PARLIAMENTARIAN DIALOGUE ON HUMAN RIGHTS & GOOD GOVERNANCE



Ombudsman Luamanuvao Katalaina Sapolu delivers presentation to Members of Parliament in attendance



The Office held its 2nd Parliamentarian dialogue on human rights and good governance. The 3 days dialogue targeted Members of Parliament who have direct engagement with the work of the Office particularly the Parliamentary Committee tasked to review and scrutinize the Office's annual State of Human Rights Reports.

Ombudsman Afioga Luamanuvao Katalaina Sapolu highlighted the unique role of Parliamentarians as guardians of human rights in the country. "Healthy democracies have a system of checks and balances at the executive, legislative and judicial levels, and each of these levels plays its own unique and vital role in this democratic balance. The Office acknowledges the participation of all members of Parliament that attended and in particular the support of working partners Samoa Family Health Association, the Government of Australia through the UNFPA Transformative Agenda programme and the Office of the Clerk Legislative Assembly.

WANT TO REPORT A HUMAN RIGHTS ISSUE/VIOLATION?

PLEASE USE OUR HUMAN RIGHTS ISSUE REPORTING TEMPLATE FOUND ON OUR WEBSITE

Go to www.ombudsman.gov.ws > click the 'Resources & Publications tab' > hover over the 'Human Rights documents tab' and wait for the drop down bar > click the last option which is the 'Human Rights Issue Reporting Template'

COMPLETE FORM AND SUBMIT TO US VIA EMAIL PROVIDED IN THE TEMPLATE

UPCOMING WORK

1. SHRR on safeguarding rights of children Consultations (Jan - March 2023)
2. Human Rights Community Led Development Workshop for NHRI (March 2023)
3. High Level Dialogue & Workshop on Right to a Clean Environment

HUMAN RIGHTS ADVICE & STATEMENTS PROVIDED BY THE OFFICE

1. Samoa Digital Identification Bill 2022
2. SQA Medicament Bill 2022
3. Income Tax Amendment Bill 2021
4. One Government Digital Platform Policy
5. Samoa National Employment Policy
6. Freedom of Information Policy
7. COVID-19 National Alert Level Classification Review

HUMAN RIGHTS DAY - 10TH DECEMBER 2022

A short video was aired on Saturday 10th December to commemorate human rights day featured human rights messages and well wishes from the Honorable Prime Minister and members of the communities.



Lodging a Complaint



Call us: 25394



Submit an online form through our website:
www.ombudsman.gov.ws



Come see us:
Level 2, SNPF Plaza



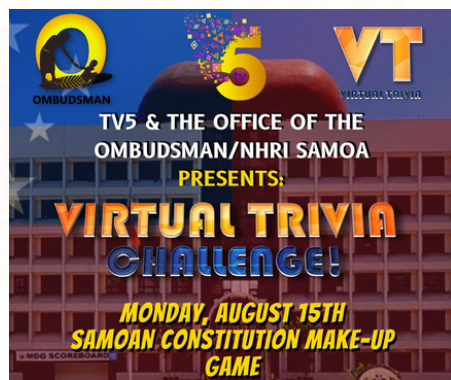
Email us:
complaints@ombudsman.gov.ws

WEBSITE UPGRADE - SEPTEMBER 2022



In an effort to be more accessible to the public, the Office upgraded and launched its official website. The Office website was first created in 2013 and had undergone a review in 2019. With a consistently high number of the public accessing the Office through its website including lodging complaints, the website underwent a full revamp in the last 6 months. A few key features include Samoa translation mode, mobile friendly and the website can be accessed from any technology device. To access our Office website the link is <https://www.ombudsman.gov.ws/>.

FIRST VIRTUAL TRIVIA ON HUMAN RIGHTS



The Office partnered with TV5 Samoa in July to bring to life the first human rights-related virtual trivia. The trivia was spread over 4 weeks with each week focusing on different topics varied from understanding Samoa's constitution to basic rights and conventions awareness. It was an opportunity to raise awareness about the Office and its mandate but also to raise awareness and understanding about human rights and how they are protected in Samoa.

The trivia attracted more than 4,000 viewers every week and 802 players in total. The Office acknowledges TV5 for supporting educational awareness programs through this initiative.

AWARENESS SESSION WITH POLICE RECRUITS INTAKE



The Office carried out its usual awareness training session for the August 2022 intake of Police Recruits today. The session covered key mandates and functions of the Ombudsman that are relevant to Police work, sharing fundamental human rights standards to consider in practice when carrying out police duties and its role as an oversight agency. We acknowledge the continuous partnership of the Ministry of Police and Prisons and wish the recruits well on their quest.

NZ OMBUDSMAN, MISA PETER BOSHIER OFFICIAL VISIT TO SAMOA

NZ Ombudsman, Misa Peter Boshier was hosted by the Office in September. Misa and his delegation were in Samoa for an official visit and were welcomed in an ava ceremony attended by heads of key agencies & partners.

The Office of the Ombudsman in Samoa shares a long working partnership with the Office of the Ombudsman in New Zealand through the work that both Offices carry out in handling complaints, undertaking investigations and inspections and encouraging good administration within public agencies. The purpose of the visit was not only to further promote the role the Ombudsman plays in ensuring good governance, but to strengthen the working relationship between the two Offices, and encourage collaborations across oversight agencies in building strong national integrity systems.

The Chief Ombudsman of New Zealand's engagements included a courtesy call-in to the Speaker of Parliament and Minister of Police as well as members of Parliament in the Constitutional Committees to discuss the role and functions of the Ombudsman and the shared work with Samoa.



OFFICE VISITORS

Ms. Aniva Clarke visited the Office in July to share on her work as Samoa Representative on the Teen Committee on climate change and the work she is currently doing in the environment space. A pleasure to have in the Office and to hear about her work.

Members of Parliament and Representatives of the Standing Orders Committee visited the Office for the first time in August. The visit was to assess resourcing challenges but also to discuss some issues raised in Office reports.

JICA OPEN DAY

The Office participated in JICA Careers Day in September. It was a great opportunity to share with young people about the Office and the types of careers they can pursue with the Ombudsman Office.

OMBUDSMAN WEEK

Increasing awareness about the work of the Office of the Samoa Ombudsman and how the public can access its services is paramount and a key communication goal in its Communications & Outreach Strategy 2021/2025. 'Ombuds Week' is a new initiative to support this.

It consists of a week full of promotional activities including information sessions with government ministries and various communities, radio and TV promotions, as well as social media activity.

'Ombuds Week' resulted in 29 general queries and four potential complaints received from the general public. Following the success of the first 'Ombuds Week' it is planned to make it a regular event to demonstrate the value of the Ombudsman's work.

**CHECK OUT OUR
CORPORATE AD
FOR
INFORMATION
ON OUR
SERVICES.**

AWARENESS PROGRAMS REVIEW JUNE – DEC 2022



Radio talks (4)



TV shows (5)



Press Releases (6)



Info sessions (2)



Public Booths (2)



Facebook posts (70)

PUBLIC SECTOR ENGAGEMENT SURVEY – JULY 2022

The CSU team coordinated the Office participation in the Public Sector Survey in its efforts to collaborate with PSC to identify areas for improvement of staff commitment, particularly in strengthening employee engagement at work. It was a crucial opportunity for our staff to effectively contribute to enabling safe professional work environments as well as identifying measures of how we can best support them to provide timely and effective service delivery.

COMPREHENSIVE AUDIT FOR FINANCIAL YEAR 2020/2021 & FINANCIAL YEAR 2021/2022 – 22/26 AUGUST

The Audit Office team assisted by the CSU facilitated and successfully concluded its comprehensive audit of two Financial Years ending 30 June 2021 and 30 June 2022 on 8 November 2022. The main objective of the audit was to examine that payments of the Office were fairly and accurately stated in financial reports and records as a basis for supporting the accuracy and completeness of the Public Accounts of the Government of Samoa as well as to ensure that financial systems, processes and records of the Office are adequate and reliable so as to safeguard public funds and assets.

FRAUD PREVENTION AND DETERRENCE ASSESSMENT – NOVEMBER

The Office through Corporate Service participated in and completed the Fraud Prevention and Deterrence Assessment carried out by the Audit Office in November 2022. The objective was to identify areas for improvement in fraud controls implemented by the Office.



STAFF JOINED NATIONAL CLEAN UP DAY!

The Office joined in the national clean up day organized annually in preparation for Teuila Festival. It was a fun day with family

OFFICE HURIDOCs TRAINING



The Office staff participated in a 2-day training by the human rights information and documentation system (HURIDOCs) on the Office internal information system developed by HURIDOCs with the support and assistance of Pacific-Community-SPC. The system will enable information to be more accessible and transparent within the organisation and to capture and organise the collection of information on its human rights activities and in particular investigations. The training was facilitated by Bina and Natasha of HURIDOCs.

The Office acknowledges the support of the Pacific-Community-SPC with this ongoing work and also HURIDOCs for taking the time to travel to Samoa to take our staff through the system. #humanrightsdata #informationmanagement

CONTACT



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(+685) 21862



info@ombudsman.gov.ws

REFRESHER WORKSHOP ON CABINET PROCESSES AND PROCEDURES

The training was attended by Rosuweti Galuvao focusing particularly on Cabinet Processes and procedures, submissions, requirements for official travels and reporting templates. the opportunity provided the CSU team with refresher workshop on all standing Cabinet processes and procedures, cabinet submissions requirements, official travel and reporting templates.

HELLO



Introducing Michael Tamanikaiyaroi to the team. Michael joined the Engagement & Communication Unit (ECU) team as the Principal Multimedia Engagement Officer in December 2022. Welcome Michael.

GOODBYES



We bid farewell to Charles Dean in November 2022. Charles has been with the Office for over 5 years before taking on a new post with NZ Ombudsman. All the best Charles & thank you for your service to the Office!

OFFICE SURVEYS

LET US KNOW WHAT YOU THINK - TAKE PART IN OUR 'STAKEHOLDER' AND 'CUSTOMER SATISFACTION' SURVEYS USING THE LINK:

[HTTPS://OMBUDSMAN.GOV.WS/CORPORATE-DOCUMENTS/](https://ombudsman.gov.ws/corporate-documents/) > GO TO "OFFICE SURVEYS"